

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

STACY SMITH,)
)
)
Plaintiff,))
)
)
v.) Case No. 3:20-05125-CV-RK
)
)
ACTING COMMISSIONER OF SOCIAL)
SECURITY,)
)
)
Defendant.

**ORDER GRANTING PLAINTIFF'S UNOPPOSED APPLICATION FOR ATTORNEY
FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT**

Before the Court is Plaintiff's motion for attorney fees under the Equal Access to Justice Act ("EAJA"). (Doc. 21.) Defendant and Plaintiff have agreed to an award of EAJA fees and expenses in the amount of \$5,750.00. (Doc. 22.)

Under the EAJA, a prevailing party in an action brought against the United States shall be awarded attorneys' fees unless the position of the United States was "substantially justified" or special circumstances make an award unjust. 28 U.S.C. § 2412(d)(1)(a). Plaintiff was a prevailing party in this action, and an award is appropriate. Accordingly, the Court **ORDERS** as follows:

1. Plaintiff is awarded attorneys' fees in the amount of \$5,750.00, to be paid by the Social Security Administration.
2. The above fee award is subject to offset to satisfy any pre-existing debt Plaintiff may owe to the United States.

IT IS SO ORDERED.

/s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: April 4, 2022